

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 25-cr-00122 (NEB/ECW)

Plaintiff,

v.

ORDER

Tarone Richard Whalen,

Defendant.

This matter is before the Court on Defendant's Motion to Extend Pretrial Scheduling and Litigation Management Order seeking a 30-day continuance of the deadlines of the Amended Scheduling Order. (Dkt. 25.) The Motion states that Plaintiff United States of America ("the Government") does not oppose the requested continuance. The Court, having considered the factors set forth in 18 U.S.C. § 3161(h)(7)(A), finds that the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and Defendant in a speedy trial. This finding is because Mr. Whalen has new counsel as of June 18, 2025, and his new counsel needs time to obtain and review the Government's discovery and discuss the case with Mr. Whalen prior to filing any pretrial motions.

Accordingly, **IT IS ORDERED THAT:**

1. Defendant's Motion to Extend Pretrial Scheduling and Litigation Management Order (Dkt. 25) is **GRANTED**.

2. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **July 23, 2025**. D. Minn. LR 12.1(c)(1).

3. All responses to motions must be filed by **August 6, 2025**. D. Minn. LR 12.1(c)(2).

4. Any Notice of Intent to Call Witnesses must be filed by **August 6, 2025**. D. Minn. LR. 12.1(c)(3)(A).

5. Any Responsive Notice of Intent to Call Witnesses must be filed by **August 11, 2025**. D. Minn. LR 12.1(c)(3)(B).

6. **If there is no need for a motions hearing, either because no motions were filed, or for any other reason, both counsel must electronically file a letter saying so on or before July 23, 2025 or immediately upon the occurrence of the event making a motions hearing unnecessary if that event occurs after July 23, 2025.**

7. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and Defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
 - b. Oral argument is requested by either party in its motion, objection or response pleadings.
8. If required, the motions hearing shall be heard before Magistrate Judge Elizabeth Cowan Wright on **August 13, 2025**, at **1:00 p.m.**, in **Courtroom 3C**, U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota. D. Minn. LR 12.1(d).

9. The delay from the date of the filing of the motion for continuance of June 20, 2025, until the new motion filing date of July 23, 2025 is excluded from the calculation of time required by the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(7)(A), in that the ends of justice served by such action outweigh the best interest of the public and Defendant in a speedy trial.

10. A trial date will be issued by separate order.

Date: June 24, 2025

s/Elizabeth Cowan Wright
ELIZABETH COWAN WRIGHT
United States Magistrate Judge